DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0689/19/HFUL
Proposal: Take down and demolish all fire damaged roof elements including covering, structure, dormer window, flashings. Rebuild / re-instate roof using like for like new materials. New roof structure and covering back to original lines and levels. Rebuild larger dormer structure to rear roof slope.
Location: 6 Rectory Terrace
West Boldon
South Tyneside
NE36 0QB

Site Visit Made: 04/11/19

Relevant policies/SPDs

1 DM1 - Management of Development (A & B)

2 DM6 - Heritage Assets and Archaeology

3 SPD9 - Householder Developments

4 SPD11 - West Boldon Conservation Area Management Plan - Adopted August 2007

5 West Boldon Conservation Area Appraisal – March 2006

Description of the site and of the proposals

The application site is a two-storey property, situated within the middle of a small terrace of three properties (5 – 7 Rectory Terrace), with the rest of Rectory Terrace having previously been cleared.

6 and 7 Rectory Terrace are a pair of Victorian houses in local stone faced with red brick, with Welsh slate roofs, larger than other terraces in the village. They have attractive margined sashes windows and simple classical door surrounds. 5 Rectory Terrace is a shorter 1950s house and is a simple, unassuming infill development adjoining the application property, but does not echo the proportions, materials or window openings of its neighbours.

The application has been made following fire damage to the property (photographic evidence of which has been provided within the Heritage Statement accompanying the application). The application seeks to take down and demolish all fire damaged roof elements including the roof covering, structure, dormer window and flashings. The works seek to re-build and re-instate the roof with a new roof structure and covering back to the original lines and levels, again using Welsh slate as the external roofing material in the build. The application proposal also seeks to rebuild a larger dormer structure to the rear roof slope with a Welsh slate roof, cheeks and timber windows (1800mm width, two over two window arrangement, with pitched roof; replacing a dormer of 1200mm width one over one window arrangement with pitched roof).

The property is the subject of an Article 4 Direction. Under the General Development Order 1977, permitted development rights were removed for certain classes of development including permitted development rights that exist for alterations and extensions to the roof a residential dwelling. This Direction was made in order to preserve existing historic fabric and to ensure that future alterations do not adversely affect the character and appearance of the borough's historic properties and conservation areas.

At the time of the case officer's initial site visit, it was noted that the entire roof of both 6 and 7 Rectory Terrace had been removed, with the roof structure of 6 Rectory Terrace at an early stage of being re-built.

Only a limited amount of plans and supporting information was initially submitted when the application was validated on 10/10/19. Additional information was providing following a request from the case officer (received 12/11/19) and after further feedback a more comprehensive set of scaled site, floor, roof and elevation plans were provided on 14/11/19, along with a Heritage Statement, which have all been considered as part of the assessment of this application.

Publicity / Consultations (Expiry date 29/11/19)

1) Neighbour & Site/Press Notice responses

Notification has included initial neighbour letters and press and site notice notification as the development has the potential to materially affect the character and appearance of the West Boldon Conservation Area. Additional neighbour letters advising of the revised description and additional/amended plans and supporting information and giving 14 days for further comments were also issued following the receipt of the additional information – in line with the South Tyneside Statement of Community Involvement protocol for amendments to undetermined planning applications. The SCI requires no additional site or press notification in these circumstances.

One response (to the original notification) was received from the occupier of 10 Rectory Green, stating that there were no issues with the proposed plans, but queried whether any time restrictions would be put in place around when the work can be carried out on any given day.

(Case officer note: response provided to the query - as the planning application is a householder planning application and due to the relatively minor scope of the works (the works only require planning permission due to the presence of an Article 4 direction on the property in order to protect the historic character of the property and would have otherwise constituted permitted development), it would not normally be appropriate to place any restrictions on working hours through the planning process.

Should there be any unexpected significant disturbance arise that constituted a statutory noise nuisance, the Council's Environmental Health service would have powers to investigate/act as appropriate in those circumstances.

It is understood that the applicant is seeking to complete the works as a matter of urgency due to the nature of the proposals, so one would also expect that the works are carried out within sensible daylight hours during the winter in any case.)

The West Boldon Residents Association was also notified. No response was received.

2) Consultee responses

STC Historic Environment Officer

Response to original submission and subsequent information received 12/11/19:

Unable to provide comments due to the lack of information provided even after additional information was forwarded.

The drawings are not to scale and existing and proposed side elevations have not been provided. It is therefore not possible to compare the existing dormer with that being proposed.

We would normally require a sample of the welsh slate to be submitted for approval. The slate should be the same dimension and quality as the original.

With regards to the heritage statement, this should include a justification for the proposed enlargement of the dormer. Heritage statements normally provide applicants with the opportunity to tell us why they think a proposal would not harm the heritage significance of a building. The heritage statement submitted also states that it has been prepared for and on behalf of South Tyneside Council. This is not correct and should be amended.

This property has an Article 4 Direction on it in order to protect features or heritage importance. The application includes for reinstating fascias, etc. I will therefore require a detail of these to ensure that they match the original.

Comments in response to the information received 14/11/19:

The amended details are sufficient for me to conclude that the proposals are acceptable.

I do not need to see a sample of the slate. *(Case officer note: this is due to the additional level of detail now provided within the application submission)*

Assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise (with respect to any buildings or other land in a conservation area) of any functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. If the impact of the proposal on the Conservation Area would be neutral this would be acceptable.

The main issues relevant to the assessment of this proposal are the:

- Design of the proposal and its effect on visual amenity & heritage assets;
- Impact on residential amenity;

Design/Visual Amenity/Heritage

The works require planning permission due to the presence of the Article 4 direction restricting works to the roof without planning permission, to help ensure that the historic interest of the property is maintained.

The works proposed are to replace the previously existing roof on a like for like basis, using natural Welsh slate, as specified on the proposed plans and within the supporting Heritage Statement. The use of this material is of great importance to retaining the historic character and appearance of this property and the wider Conservation Area and is therefore considered to be acceptable. The proposed timber roof light to the front roof slope would be of the same size and location of the previously existing one in the bottom right corner of the roof slope, with the plans stating that this would match the appearance of the previously existing roof light.

The proposed dormer to the rear would again use Welsh slate to the dormer roof and cheeks and would have a pitched roof form, utilising a timber window – replicating the previously existing window, with the exception of the increased width by 600mm and the wider window with a two over two arrangement. While this dormer differs from the previously existing one, it is considered to be a subservient and secondary addition to the roof slope, utilising a design and palette of materials that are in keeping with

the historic character and interest of the property, while not impacting on the street scene due to its location at the rear.

Existing half round black gutters would be replaced with chamfered profiled gutters, which are considered to be acceptable in their appearance and respectful of the property's historic character.

It is considered that the proposal would not harm the visual amenities of the property itself or its immediate environs, or the character, appearance and historic significance of the West Boldon Conservation Area. The proposal is considered to sufficiently convey sensitive consideration of its surroundings and protect the special character of the West Boldon Conservation Area and would be in accordance to accord with LDF policies DM1 (A) and DM6 of the South Tyneside LDF, and having regard to guidance in SPD9 and SPD11.

Residential Amenity

The proposals would simply replace the existing roof and an existing rear dormer. While the new dormer would be larger than the existing dormer, it would not have the potential to materially impact upon the residential amenity of neighbours, when compared with the existing rear dormer. The proposals would therefore be in accordance with LDF Policy DM1 (B).

Summary

It is considered that, in the site circumstances and context of this particular case that the proposal would be in accordance with Local Development Framework (LDF) Policy DM1 (A & B), having regard to design guidance in Supplementary Planning Document (SPD) 9 'Householder Developments'. The proposal would also be in accordance with Policy DM6 of the South Tyneside LDF, and guidance in SPD11, having regard to all other material planning considerations. It is considered that the proposal would be an acceptable form of development, subject to the conditions listed below.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Grant Permission Householder with Conditions

Conditions

1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

2 The development shall be carried out in accordance with the approved plan(s) as detailed below

SPC/19104 Drawing Number 002 received 14/11/2019
SPC/19104 Drawing Number 004 received 14/11/2019
SPC/19104 Drawing Number 005 received 14/11/2019
SPC/19104 Drawing Number 006 received 14/11/2019
SPC/19104 Drawing Number 007 received 14/11/2019

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

3 The external surfaces of the proposed roof, dormer roof and dormer cheeks shall be natural Welsh slate as specified on SPC/19104 Drawing Number 002 received 14/11/2019 and SPC/19104 Drawing Number 004 received 14/11/2019. The proposed dormer window and rooflight shall use timber frames in accordance with the details specified on SPC/19104 Drawing Number 002 received 14/11/2019 and SPC/19104 Drawing Number 004 received 14/11/2019. Unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.

To ensure a satisfactory standard of development and in the interests of visual amenity and the character and appearance of the property and the West Boldon Conservation Area in accordance with South Tyneside LDF Development Management policies DM1 and DM6.

Informatives

1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.

2 NOTE TO APPLICANT

All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should bats or signs of bats (such as droppings or dead bats) be discovered at any stage during the works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.

Case officer: Chris Stanworth
Signed:
Date: 02/12/19

Authorised Signatory:
Date: